



## **Questions & Answers on the NOAA Fisheries Service Decision to Conduct Endangered Species Act Status Reviews for Five Species of Puget Sound Rockfish** (March 2008)

**Q. Why is NOAA Fisheries reviewing the status of five Puget Sound rockfish species under the U.S. Endangered Species Act (ESA)?**

- A.** Any person can petition the Secretary (of Interior or Commerce) to list or delist a species under the Endangered Species Act (ESA). Within 90 days after receiving a petition, to the maximum extent practicable, the Secretary must make a finding as to whether the petition presents substantial scientific or commercial information indicating that the petitioned action may be warranted. If a petition is found to present such information, the Secretary must promptly start a review of the status of the species concerned.

In April 2007, we received a petition from Sam Wright to list bocaccio and canary, yelloweye, greenstripe and redstripe rockfishes in Puget Sound under the ESA. In October 2007 we rejected that petition and declined to initiate a review of the species' ESA status. Later that month, we received a letter from Mr. Wright presenting information that was not included in the April 2007 petition. It requested that we reconsider our earlier decision not to initiate a review of the species' status. We now find that the April 2007 petition, as supplemented by the information included in the October 2007 letter, presents substantial scientific or commercial information indicating that the petitioned actions may be warranted. We're initiating a status review of these five rockfish species to determine if they warrant ESA listing.

**Q. Didn't NOAA Fisheries already review these rockfish species in Puget Sound?**

- A.** No. In 1999 Mr. Wright petitioned us to list 18 species of marine fishes in Puget Sound, including the five rockfish species that are the subject of the recent petition. For the five recently petitioned species we found that there was insufficient information in the 1999 petition to evaluate stock structure, status and trends. We concluded that the 1999 petition failed to present substantial information to suggest that listing these species in Puget Sound may be warranted.

We did, however, initiate ESA status reviews for seven of the other petitioned species, including brown, copper and quillback rockfish. In April of 2001 we concluded that brown, copper and quillback rockfish in Puget Sound did not warrant ESA listing. These rockfish populations had experienced declines over the last 40 years, likely because of overharvest. However, we noted that the populations appeared stable, and that improved fishery regulations and the establishment of marine reserves had reduced levels of fishing mortality.

In September 2006 we received another petition from Mr. Wright to list the Puget Sound copper and quillback rockfish populations. In a finding published in January 2007, we determined that the September 2006 petition failed to present substantial scientific and commercial information to suggest that the ESA listing of copper and quillback rockfishes in Puget Sound may be warranted.

**Q. What did NOAA Fisheries conclude about the information presented in the recently supplemented petition?**

- A. The petitioner contends that these five rockfish species in Puget Sound warrant delineation as distinct population segments (DPSs) because of the relatively closed oceanographic circulation patterns in the Puget Sound area. He also mentioned the similarity in life-history characteristics between the petitioned species and other rockfish species for which NOAA Fisheries recognized Puget Sound DPSs in 2001. We agree with the petitioner that it is plausible that these species in Puget Sound may represent DPSs.

With respect to the risk status of the petitioned species, the April 2007 petition provided recreational catch data, spanning approximately 12 years in the mid-1970s to mid-1990s. In our October 2007 decision to not initiate a status review, we faulted the petition for not providing the information necessary to interpret possible trends in the recreational catch data. Without such information we felt it was not possible to determine whether the recreational catch data reflect true declines in population status. In his October 2007 letter, the petitioner provided the information on fishery effort, changes in fisheries practices, and changes in fishery regulations that we found lacking in the April 2007 petition.

**Q. Does this decision mean that NOAA Fisheries is likely to list the five species of rockfish in Puget Sound?**

- A. Not necessarily. It means only that the agency has determined that the supplemented petition presented enough substantial scientific and commercial information to indicate that the petitioned actions may be warranted.

**Q. What happens now that NOAA Fisheries Service has accepted the petition to list five species of Puget Sound rockfish under the ESA?**

- A. NOAA Fisheries is soliciting information on the viability of and threats to the five rockfish species, particularly in Puget Sound. We're also interested in information about efforts being made to protect the species, and the names of potential peer reviewers.

**Q. What will NOAA Fisheries Service do next in this ESA petition process?**

- A. The agency is beginning to compile and review the available status information on the five rockfish species. Within 12 months of receiving the petition, by Oct. 29, 2008, NOAA Fisheries will make a determination on whether the petitioned actions are warranted. If these rockfish species are proposed for listing, it would not become final until October 2009.